

AO 248 (Rev. 08/20) ORDER ON MOTION FOR SENTENCE REDUCTION UNDER 18 U.S.C. § 3582(c)(1)(A)

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA

Case No. C13-0147JLR

v.

ORDER ON MOTION FOR
SENTENCE REDUCTION UNDER
18 U.S.C. § 3582(c)(1)(A)

CHRISTINA D. CARLSON

(COMPASSIONATE RELEASE)

Upon motion of the defendant for a reduction in sentence under 18 U.S.C. § 3582(c)(1)(A), and after considering the applicable factors provided in 18 U.S.C. § 3553(a) and the applicable policy statements issued by the Sentencing Commission,

IT IS ORDERED that the motion is:

☒ DENIED after complete review of the motion on the merits.

☒ FACTORS CONSIDERED (Optional)

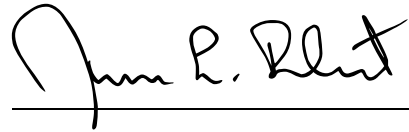
Ms. Carlson's medical conditions and the treatment she is receiving at Federal Medical Center Carlswell ("FMC Carlswell"); Ms. Carlson's age; the number of COVID-19 cases at FMC Carlswell; the Bureau of Prisons' efforts to prevent further COVID-19 outbreaks at FMC Carlswell; Ms. Carlson's proposed release plan; Ms. Carlson's criminal and disciplinary history; and the potential danger Ms. Carlson poses to the community.

☒ DENIED because the defendant has not exhausted all administrative remedies as required in 18 U.S.C. § 3582(c)(1)(A), nor have 30 days lapsed since receipt of the defendant's request by the warden of the defendant's facility. The court disagrees with the Government that Ms. Carlson has met her burden on this issue. *See, e.g., United States v. Garcia*, No. CR13-0071JLR, 2020 WL 3839631, at *3-4 (W.D. Wash. July 8, 2020) (explaining the

exhaustion requirements that must be met before a defendant can file a motion under 18 U.S.C. § 3582(c)(1)(A)). Ms. Carlson has not demonstrated that, after receiving a rejection notice from the administrative remedy coordinator at FMC Carlswell on June 10, 2020, Ms. Carlson made any attempt to properly resubmit her request. Nor has she demonstrated that she has properly submitted any other requests that the warden has failed to act on for a period of 30 days.

IT IS SO ORDERED.

Dated: October 2, 2020

A handwritten signature in black ink, appearing to read "James L. Robart", is written over a horizontal line.

JAMES L. ROBART
United States District Judge